



EEOC News

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HARDWARE STORE CHAIN TO PAY \$120,000 FOR SEXUAL HARASSMENT

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EEOC Suit Said Owner of Sebo's Do-It-Center Subjected Teen Female Subordinate to Offensive Sexual Comments and Physical Touching

SEATTLE – The U.S. Equal Employment Opportunity Commission (EEOC) announced today that it has settled its sexual harassment and constructive discharge lawsuit against a hardware store chain for \$120,000 and the company's agreement to take steps to prevent future discriminatory conduct.

The EEOC achieved the settlement on behalf of a former female employee who worked at Sebo's Do-It-Center in Clinton, Wash., her first full-time job after graduating from high school. EEOC's suit (Civil Action No. 04-2066-RSM), filed in U.S. District Court for the Western District of Washington, alleged that the former employee, who will receive \$120,000 in monetary relief, was sexually harassed by the store's owner through his repeated sexual comments and unwanted physical groping. The owner's harassment culminated in his forcibly kissing the teenager on her lips, the suit said. Because the owner was the harasser, the teen did not know what her rights were or what steps to take to stop the harassment. The company failed to issue a written sexual harassment policy, the EEOC said, or provide sexual harassment training to any of its employees or managers during the female employee's employment. As a result, she was forced to quit.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex (including sexual harassment or pregnancy) or national origin and protects employees who complain about such offenses from retaliation.

The harassment victim also brought separate state common law claims and claims under the Washington Law Against Discrimination against the company. RLS, Inc. has denied the allegations.

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RLS, Inc. agreed to a three-year consent decree with sweeping injunctive relief. The consent decree includes a policy that imposes substantial discipline upon any supervisor or manager who engages in discrimination, sexually harasses any employee or who retaliates against anyone for complaining or taking part in a harassment investigation. RLS, Inc. also agreed to contract with a qualified third party to act as its EEO coordinator to train and handle complaints of discrimination and harassment. The company also agreed to revise its employee appraisal process to include "commitment to equal employment opportunity" as a criterion for qualification and performance evaluation for supervisors and managers. Further, the company will provide annual training to all managers and employees on employment discrimination and provide the EEOC with periodic compliance reports that will include any complaints of sexual harassment and retaliation.

"All employers must implement written sexual harassment policies that comply with the requirements of federal anti-discrimination law. They must educate their work force about their rights and how to report complaints of harassment and discrimination. It is well past time for employers to fully comply with the law," said EEOC Regional Attorney A. Luis Lucero, Jr.

EEOC Seattle District Director Jeanette Leino said, "It is especially critical for employers to comply with federal anti-discrimination laws when employing teenagers, who, because of their inexperience, will likely be ill-informed about their rights and how to remedy harassment."

Sebo's is a private company that owned and operated two hardware stores in Clinton and Anacortes, Wash., during the harassment victim's employment. The company at that time employed less than 100 employees.

In addition to enforcing Title VII, the EEOC enforces the Age Discrimination in Employment Act of 1967 (ADEA), which protects workers age 40 and older from discrimination based on age; the Equal Pay Act of 1963, which prohibits gender-based wage discrimination; the Rehabilitation Act of 1973, which prohibits employment discrimination against people with disabilities in the federal sector; Title I of the Americans with Disabilities Act of 1990 (ADA), which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on the agency's web site at www.eeoc.gov.

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